

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ORANGEBURG DIVISION

UNITED STATES OF AMERICA

v.

JOEL PERRIN ROBINSON

Criminal Action No.

5:14-CR-809

**GOVERNMENT’S MOTION FOR DISCOVERY**

The United States of America, by Sally Quillian Yates, United States Attorney for the Northern District of Georgia, and Michael Herskowitz and Vivek Kothari, Special Assistant United States Attorneys for the District of South Carolina, files this Motion for Discovery, and states as follows:

1. On November 26, 2014, the Government produced its initial batch of discovery to the defendant, which included hundreds of pages of reports, photographs, and videos. In the cover letter accompanying the discovery, the Government requested reciprocal discovery from the defendant under the Federal Rules of Criminal Procedure, including Rules 12.1 (alibi defense), 16(b) (defendant’s disclosure), and 16(c) (continuing duty to disclose). See Exhibit “A.” The Government continues to produce discovery to the defendant as it becomes available.

2. To date, however, the Government has not received any discovery from the defendant, with exception of copies of purported text messages, excerpts from telephone records, and a copy of a security system log – all of which were handed to the

Government immediately before defendant witnesses testified at the bond hearing before this Court on December 18, 2014.

3. Indeed, it appears that the defendant was in possession of these documents weeks before the December 18 hearing, and they should have been turned over to the Government in advance of the hearing. (*see*, e.g., defense exhibits of telephone records which appear to have been faxed to/from defendant's business on November 19, 2014 and a security system report dated December 5, 2014).

4. In response, the defendant, through counsel, represented to the Court - in sum and substance at the bond hearing - that the defendant is not obligated to turn over discovery in a timely manner. The federal rules command otherwise.

5. Through this instant motion, the Government again requests that the defendant comply with the Federal Rules of Criminal Procedure and produce discovery to the Government in a timely manner, which includes any alibi defense as set forth in Rule 12.1.

6. Specifically, the Government requests copies of any and all documents and/or other evidence which the defendant may seek to introduce at trial, including but not limited to, recordings, documentary evidence, the identity of any expert witnesses and/or expert reports, all to be produced or made available to the Government on or before January 9, 2015.

WHEREFORE, the United States respectfully requests that this Honorable Court enter an Order granting the Government's Motion for Discovery.

Respectfully submitted,

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**Certificate of Service**

I served this document today by filing it using the Court's CM/ECF system, which automatically notifies the parties and counsel of record.

Richard Harpootlian

James Griffin

December 30, 2014

/s/ MICHAEL V. HERSKOWITZ

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MICHAEL V. HERSKOWITZ

*Special Assistant United States Attorney*